

Docket No. 10738-47

PATENT

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on November 7, 2005.

Marlene Troxle
Marlene Troxle

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Evangelia G. Kranias :
Serial No.: 10/691,412 : Group Art Unit: 1634
Filed: 10/22/03 : Examiner: Sitton, Jehanne Souaya
For: Phospholamban Polymorphism :
and Methods of Assessment :

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

☐ additional fee is required.
☐ also attached:

The fee has been calculated as shown below:

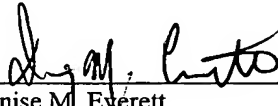
	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	17	20	0	x \$25 =	\$
Independent Claims	3	3	0	x \$100 =	\$
If multiple claims newly presented, add \$145.00					-----
Month Extension Fee					\$
Information Disclosure Statement					\$00.00
TOTAL FEE DUE					\$00.00

☐ Please charge my Deposit Account No. 04-1133 in the amount of \$.
☐ Please charge the amount of \$_____ to our Visa credit card. Form PTO-2038 is enclosed.

- [x] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

By: _____


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Registration No. 47,552
Attorney for Applicant(s)
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DPW

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Evangelia G. Kranias et al : Paper No.:
5 Serial No.: 10/691,412 : Group Art Unit: 1645
Filing Date: October 22, 2003 : Examiner:
For: **Phospholamban Polymorphism and Methods of Assessment**

RESPONSE TO RESTRICTION REQUIREMENT

10 Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

15 Dear Sir:

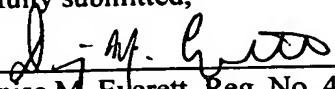
20 The Office Action dated October 6, 2005, In the Official Action dated October 6,
2005, the Examiner required restriction under 35 U.S.C. §121 between claims 1-14 and
16-17, drawn to methods for detecting a phospholamban polymorphism, and claim 15,
drawn to a phospholamban nucleic acid sequence. Applicant hereby elects claim 15 for
prosecution on the merits. This election is made with traverse on the basis that it would
not be unduly burdensome for the Examiner to examine all of claims 1-17 in the present
25 application, particularly since the independent method claims all require comparisons and
analysis with respect to a nucleotide fragment with a predetermined phospholamban
nucleotide fragment sequence, thereby necessitating overlap in the searching conducted
by the Examiner, regardless of classification scheme-based searching set forth by the
Examiner as indicative of necessarily independent search protocols.

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Accordingly, reconsideration of the restriction requirement and examination of
claims 1-17 in the present application is respectfully requested.

Respectfully submitted,

By:


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